

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.,)

Petitioner,)

v.)

ILLINOIS DEPARTMENT OF TRANSPORTATION,)

Respondents.)

Docket No. T02-0029

RECEIVED
JUL 24 2002

Illinois Commerce Commission
RAIL SAFETY SECTION

Petition of Wisconsin Central Ltd. seeking an order of the)
Illinois Commerce Commission directing that an additional)
track and grade crossing be constructed at Prospect)
Avenue (DOT 689-653G) on the Wisconsin Central Ltd. in)
the City of Des Plaines, Cook County, IL.)

MOTION FOR LEAVE TO FILE LATE TESTIMONY

NOW COMES, the State of Illinois, Department of Transportation, by and through its attorney, Jim Ryan, Illinois Attorney General and asks leave to file the following affidavit of Ken Wood as late testimony in the above captioned cause and in support thereof states as follows:

1. Ken Wood, an employee of the Department, was not present at the July 8, 2002 hearing.
2. Only after July 8, 2002, did the Department's Central Office realize additional relief was needed due to the proposed change in the subject Petition.
3. Based on a conversation with Attorney Michael Barron (attorney for Petitioner), it is the undersign's belief that Petitioner has no objection to the late filing, as well as, the relief requested therein.

Respectfully submitted,


Stacey C. Hollo
Special Assistant Attorney General

Dated July 23, 2002

Illinois Department of Transportation
2300 South Dirksen Parkway, Room 311
Springfield, Illinois 62764
Telephone (217)782-3215

DOCKETED

JUL 25 2002

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

WISCONSIN CENTRAL LTD.,

Petitioner,

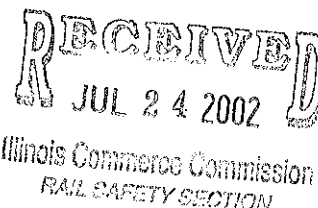
v.

ILLINOIS DEPARTMENT OF TRANSPORTATION,

Respondents.

Docket No. T02-0029

Petition of Wisconsin Central Ltd. seeking an order of the Illinois Commerce Commission directing that an additional track and grade crossing be constructed at Prospect Avenue (DOT 689-653G) on the Wisconsin Central Ltd. in the City of Des Plaines, Cook County, IL.



AFFIDAVIT

I, Ken Wood, on oath states:

1. I have a bachelor's degree in Civil Engineering from the University of Illinois.
2. I am employed by the State of Illinois Department of Transportation, and have been so employed for 27 years.
3. I currently hold the position of Engineer of Traffic Operations in the Bureau of Operations.
4. As Engineer of Traffic Operations it is my job to review all interconnect locations and determine whether or not the interconnection between the traffic system and the railroad warning system is properly designed to avoid the trapping of vehicles on a crossing.
5. The traffic signals at the intersection in question, namely US12-45 (Mannheim Rd) at Prospect Avenue, are currently interconnected with the railroad warning system of the Wisconsin Central.
6. Pursuant to an Order entered by the Illinois Commerce Commission on September 22, 1999 in T99-0057 the simultaneous minimum preemption time provided by the railroad to the Department was established at 25 seconds.
7. After further review of the relief requested by the Wisconsin Central herein this matter, it is my professional opinion and recommendation that the interconnect system be modified; more specifically, the traffic signal system will require one additional second of minimum preemption time from the railroad due to the proposed additional track, thereby establishing a new time of 26 seconds.

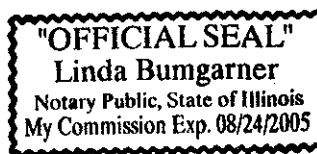
8. My recommendation is based on the criteria/methodology developed by the Department in 1997, which is used to determine adequate warning time for interconnect locations to prevent queues across the respective track(s).
9. It is my opinion, based on a reasonable degree of professional engineering certainty, that the proposed additional one second of simultaneous minimum preemption time will improve public safety and is in the best interest of public safety.
10. Accordingly, on behalf of the Department of Transportation, I respectfully request that any Order entered in this matter include the additional relief, as well as, the Commission's prior Order entered in T99-0057 be concurrently modified to reflect the additional one second.
11. Based on testimony by a witness of the Wisconsin Central at the July 8, 2002 hearing, it is my belief that this additional relief will not cost the railroad any additional money; however, if it should, the Department requests that the railroad be responsible for any increase in costs.

AFFIANT SAYETH FURTHER NOT.

Ken Wood
Ken Wood

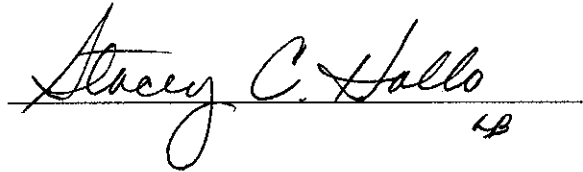
Subscribed and sworn to before me on this 23 day of July 2002.

Linda Bumgarner
NOTARY PUBLIC



PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressees listed below by mailing a true and correct copy via first class mail, postage pre-paid and depositing the same in the United States Mail, Springfield, Illinois, this 23rd day of July, 2002:

A handwritten signature in cursive script, reading "Stacey C. Hall", is written over a horizontal line. To the right of the signature, there is a small, handwritten mark that appears to be "LB".

Mr. Michael J. Barron, Jr.
General Attorney
Wisconsin Central Ltd.
P.O. Box 5062
Rosemont, IL 60017-5062

Mr. David R. Wiltse
City Attorney
City of Des Plaines
1420 Miner
Des Plaines, IL 60016

Counsel for the Illinois
Department of Transportation